

1 MICHAEL A. FEDERICO, ESQ.
2 Nevada Bar No. 005946
3 PATERNO C. JURANI, ESQ.
4 Nevada Bar No. 008136
5 OLSON CANNON & GORMLEY
6 9950 W. Cheyenne Avenue
7 Las Vegas, NV 89129
8 P: (702) 384-4012
9 F: (702) 383-0701
10 mfederico@ocgas.com
11 pjurani@ocgas.com
12 Attorney for Defendant
13 *Costco Wholesale Corporation*

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 DANIELA CANALES POCASANGRE,
17 individually,

18 Plaintiff,
19 v.

20 COSTCO WHOLESALE CORPORATION,
21 a Delaware Corporation; DOE EMPLOYEES
22 I through X; DOES I through XV, and ROE
23 Corporations I through X, inclusive,

24 Defendants.

25 CASE NO. 2:24-cv-00667-APG-DJA

26 **JOINT DISCOVERY PLAN AND
27 SCHEDULING ORDER (SUBMITTED IN
28 ~~COMPLIANCE WITH LR 26-1(b))~~
SPECIAL SCHEDULING REVIEW
REQUESTED
AS AMENDED ON PAGE 3**

1. Meeting. Pursuant to Federal Rules of Civil Procedure 26(f), a meeting was held
2 on Thursday, April 18, 2024, as it was properly noticed and it was attended by Michael A.
3 Federico, Esq. of Olson Cannon & Gormley on behalf of Defendant COSTCO WHOLESALE
4 CORPORATION and Adam L. Muslusky, Esq. of Muslusky Law on behalf of Plaintiff
5 DANIELA CANALES POCASANGRE.

6. Pre-Discovery Disclosures. The parties will exchange the initial information no
7 later than Friday, May 10, 2024.

8 ///

3. Discovery Plan. The parties propose to the Court the following discovery plan:

A. Changes to Timing. None

B. Subject of Discovery. Discovery will be needed on the following subjects:

(1) The events surrounding the alleged incident itself.

(2) Liability.

(3) The economic damage claims of the Plaintiff as a result of the alleged incident.

(4) The physical and emotional injury claims of the Plaintiff.

(5) Causation of alleged damages.

C. Issues about Electronically Stored Information. None

D. Issues about privileges. None

E. Changes to Limitations on Discovery. None

F. Other Orders. None

G. Discovery Cut-Off Date(s). Due to multiple medical providers, serious medical expenses and ongoing medical care for injuries as a result of a slip and fall while on Defendant's property, discovery will take over 180 days, that being one year, measured from April 5, 2024, which is the date the first defendant answered or otherwise appeared in the Federal case. This means all discovery must be commenced in time to be completed by Monday, April 7, 2025.

H. Amending the Pleadings and Adding Parties. The parties shall have until January 7, 2025 to file any motions to amend the pleadings or to add parties. This is (90) days before the discovery cut-off date.

I. Federal Rule of Civil Procedure 26(a)(2) Disclosures (Experts). Disclosure of experts shall proceed according to Federal Rule of Civil Procedure 26(a)(2), except that:

1 [I] The disclosure of experts and expert reports shall occur on
2 Thursday, February 6, 2025, which is sixty (60) days
3 before the discovery cut-off date.
4

5 [ii] The disclosure of rebuttal experts and their reports shall
6 occur on Friday, March 7, 2025, which is thirty (30) days
7 before the discovery cut-off date.
8

9 J. Dispositive Motions. The parties shall have until Wednesday, May 7, 2025 to
10 file dispositive motions. This is thirty (30) days after the discovery cut-off date and does not
11 exceed the outside limit of thirty (30) days following the discovery cut-off date that LR 26-
12 1(b)(4) presumptively sets for filing dispositive motions.
13

14 K. Pre-Trial Order. The Pre-Trial Order shall be filed by Friday, June 6, 2025,
15 ~~February 28, 2025~~, which is not more than thirty (30) days after the date set for filing dispositive
16 motions in the case. In the event dispositive motions are filed, the date for filing the joint pre-
17 trial order shall be suspended until thirty (30) days after decision of the dispositive motions or
18 further order of the Court. The disclosures required by Federal Rules of Civil Procedure 26(a)(3)
19 shall be made in the joint pre-trial order.
20

21 L. Extensions or Modifications of the Discovery Plan and Scheduling Order. LR
22 26-4 governs modifications or extensions of this discovery plan and scheduling order. Any
23 stipulation or motion must be made no later than twenty-one (21) days before the discovery cut
24 off date and comply fulling with ~~LR 26-4~~, which is Monday, March 17, 2025.
25

26 M. Alternative Dispute Resolution. The parties certify that they have met and
27 conferred about using Alternative Dispute Resolution processes but discovery is necessary to
28 determine case issues.
29

1 N. Alternative Forms of Case Disposition. The parties certify that they have
2 considered consent to Trial by a Magistrate Judge and use of the Short Trial Program.

3 O. Format of Discovery. Pursuant to the electronic discovery amendments to the
4 Federal Rules of Civil Procedure effective December 1, 2006, the parties addressed the e-
5 discovery issues pertaining to the format of discovery at the Rule 26(f) conference. The parties
6 do not anticipate discovery of native files or metadata at this time, but each party reserves the
7 right to make a showing for the need of such electronic data as discovery progresses.

8 DATED this 3rd day of May, 2024.

9 OLSON CANNON & GORMLEY

10 /s/ *Michael A. Federico, Esq.*

11 MICHAEL A. FEDERICO, ESQ.
12 Nevada Bar No.: 005946
13 9950 W. Cheyenne Ave.
14 Las Vegas, NV 89129
15 Attorney for Defendant

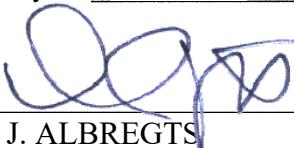
16 DATED this 3rd day of May, 2024.

17 MUSLUSKY LAW

18 /s/ *Adam L. Muslusky, Esq.*

19 ADAM L. MUSLUSKY, ESQ.
20 Nevada Bar No. 007457
21 3030 S. Jones Blvd., Ste. 108
22 Las Vegas, NV 89146
23 Attorneys for Plaintiff

24 IT IS SO ORDERED this 6th day of May, 2024.

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26 DANIEL J. ALBREGTS
27 UNITED STATES MAGISTRATE JUDGE

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